

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

OTIS MAYS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-22-824-G
)	
BUREAU OF PRISONS et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Otis Mays, a federal prisoner appearing pro se, filed a Complaint (Doc. No. 1) alleging deprivations of his constitutional rights against multiple defendants. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings. On September 21, 2022, Judge Purcell granted Plaintiff's application for leave to proceed *in forma pauperis* and ordered Plaintiff to submit an initial partial filing fee of \$16.99. *See* Order of Sept. 21, 2022 (Doc. No. 6) at 1-3.

After Plaintiff failed to respond, Judge Purcell entered a Report and Recommendation (Doc. No. 7), recommending that this matter be dismissed due to Plaintiff's failure to comply with the Court's order. *See id.* at 1-4.

Plaintiff has not filed an objection to the Report and Recommendation, but he has submitted several items of correspondence indicating that he has had limited access to his legal paperwork. Plaintiff also has filed a motion requesting additional time to pay the \$16.99 required fee. *See* Doc. No. 10.

Liberally construed, the Court finds that Plaintiff has made a good-faith attempt to comply with the Court's order regarding the filing fee. The Court therefore will re-refer this action to allow Plaintiff one additional opportunity to make payment or seek modification of his *in forma pauperis* arrangements and to otherwise proceed with accordance with the applicable Federal and Local Civil Rules.

CONCLUSION

Accordingly, the reasoning of the Report and Recommendation (Doc. No. 7) is ADOPTED. The Court declines to dismiss this matter at this time.

Plaintiff's Motion (Doc. No. 10) is DENIED AS MOOT. The Clerk of Court is directed to mail Plaintiff a copy of the Complaint (Doc. No. 1) and a change-of-address form along with this Order.

This matter is re-referred to Judge Purcell in accordance with the initial order of referral.

IT IS SO ORDERED this 3rd day of March, 2023.



CHARLES B. GOODWIN
United States District Judge